

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE)	
COMMISSION,)	
Plaintiff,)	
)	
v.)	C.A. No. 12-12324-MLW
)	
BIOCHEMICS, INC., JOHN J.)	
MASIZ, AND GREGORY S.)	
KRONING,)	
Defendants.)	

ORDER

WOLF, D.J.

September 6, 2019

For the reasons stated in court on September 5, 2019, it is hereby ORDERED that:

1. The Receiver's Motion to Approve Liquidation Plan (Dkt. No. 484) is MOOT.

2. The Receiver's Motions for Order of Sale (Dkt. No. 541), to Approve Bidding Procedures (Dkt. No. 542), and to Employ Gordian Group, LLC (Dkt. No. 543) are DENIED without prejudice.

3. ADEC Private Equity Investments, LLC's ("ADEC") request for attorneys' fees under Mass. Gen. Laws ch. 231, §59H (Dkt. No. 508) is DENIED.

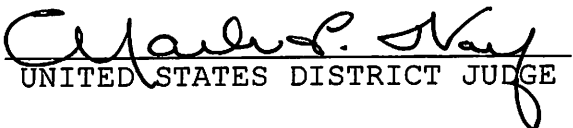
4. ADEC's Motion for Stay of Litigation (Dkt. No. 480) is ALLOWED with respect to claims that do not belong to Inpellis, Inc. ("Inpellis"), and ADEC's Motion for Leave to Serve Rule 2004 Subpoena on the Receiver (Dkt. No. 551) is ALLOWED. In addition,

ADEC may assist the Inpellis Bankruptcy Trustee in pursuing claims of Inpellis. However, this Order does not alter the automatic stay resulting from the Inpellis bankruptcy action. See In re Inpellis, Inc., 18-bk-12844 (Bankr. D. Mass.).

5. Defendant John Masiz shall, by September 12, 2019, file an affidavit providing: (a) a list of investors and potential investors from whom he has solicited funds for BioPhysics Pharma, Inc. or any other entity since the entry of Final Judgment on August 18, 2017; (b) the written disclosure that he provided to each investor and potential investor he solicited; and (c) the contemporaneous written record of such disclosures required by Section II of the Final Judgment as to Defendant John J. Masiz (Dkt. No. 345). The SEC shall, by September 19, 2019, review Mr. Masiz's affidavit and report whether it believes Mr. Masiz has complied with the relevant requirements of the Final Judgment.

6. The Receiver's Motions for Compensation and Expenses (Dkt. Nos. 532 and 537) are ALLOWED.

7. The participants in the September 5, 2019 hearing shall order a transcript of it on an expedited basis.


UNITED STATES DISTRICT JUDGE